

AN ORDINANCE

101147

**SELECTING BAIN MEDINA BAIN, INC., A SBE/ WBE FIRM, TO PROVIDE PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE RIP RAP #69, PHASE IID PROJECT; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$795,861.00; AUTHORIZING \$79,586.10 FOR ENGINEERING CONTINGENCY, \$55,710.00 FOR CAPITAL ADMINISTRATION COSTS, AND \$1,500.00 FOR ENVIRONMENTAL CONTINGENCY, FOR A TOTAL AMOUNT OF \$932,657.10; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.**

\* \* \* \* \*

**WHEREAS**, professional engineering services, including feasibility studies, surveying, design, cost estimates, preparation of plan and bid documents and construction phase services, are required for the Rip Rap #69, Phase IID project which provides drainage improvements to drainage channels within Council District 3; and

**WHEREAS**, funds are available from the Storm Water Revenue Bonds; and

**WHEREAS**, City staff recommends that the firm of Bain, Medina, Bain, Inc. be selected, and that City staff be directed to negotiate a professional services agreement with the firm as set out below; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The firm of Bain Medina Bain, Inc. is hereby selected to provide professional engineering services, in connection with the Rip Rap #69, Phase IID project. The amounts of \$79,586.10 for engineering contingency expenses; \$55,710.00 for Capital Administration Costs and \$1,500.00 for Environmental Contingency are hereby authorized.

**SECTION 2.** City staff is hereby authorized and directed to negotiate with said firm to reach an agreement on a contract for such work for a sum not to exceed \$795,861.00.

**SECTION 3.** Upon negotiation of a contract in accordance with the terms of the standard form engineering contract, appearing in substantially the same form as **Attachment A** appended hereto and incorporated herein for all purposes, and in accordance with the price provisions contained herein and the proposal submitted by Bain Medina Bain, Inc. which is attached hereto for reference as **Attachment B**, the City Manager or his designee is hereby authorized to execute such an agreement. Should a contract be negotiated which varies from the standard terms, the contract must be considered through a subsequent ordinance. If so, City Council must approve the contract terms and insure that the compensation provided meets the requirements set out in Section 2254.004 of the Texas Government Code.

**SECTION 4.** The total amount of \$795,861.00 is hereby authorized to be encumbered from the financial adjustments stated below and made payable to Bain Medina Bain, Inc.

**SECTION 5.** The following financial adjustments are hereby authorized to effect this Ordinance:

- a. The amount of \$932,657.10 is appropriated in SAP fund 48004000, 2005 Stormwater Revenue Bonds, WBS *RB-00084-01-01-03*, SAP GL account 6102100 - Interfund Transfers Out, entitled

Transfer to *RB-00599-90-03*. The amount of \$932,657.10 is authorized to be transferred to SAP fund 48099000.

b. The budget in SAP fund 48099000, Project Definition 23-00599, RIP RAP #69, Phase IID Project, shall be revised by increasing WBS element *23-00599-90-03*, entitled "TRF FR WBS RB-00084-01-01-03, SAP GL Account 6101100 - Interfund Transfers In, by the amount of \$932,657.10.

c. The amount of \$795,861.00 is appropriated in Fund 48099000, Project Definition 23-00599, RIP RAP #69, Phase IID Project, WBS element 23-00599-01-02 and is authorized to be encumbered and made payable to Bain Medina Bain, Inc. when a purchase order is issued.

d. The amount of \$79,586.10 is appropriated in Fund 48099000, Project Definition 23-00599, RIP RAP #69, Phase IID Project, WBS element 23-00599-01-03 and is authorized to be encumbered and made payable for design contingency.

e. The amount of \$55,710.00 is appropriated in Fund 48099000, Project Definition 23-00599, RIP RAP #69, Phase IID Project, WBS element 23-00599-01-04 and is authorized to be encumbered and made payable for capital administrative costs.

f. The amount of \$1,500.00 is appropriated in Fund 48099000, Project Definition 23-00599, RIP RAP #69, Phase IID Project, WBS element 23-00599-04-03 and is authorized to be encumbered and made payable for environmental contingency.

g. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager, or the City Manager's designee, correct allocation to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 6.** This Ordinance shall be effective on the 24<sup>th</sup> day of July 2005.

**PASSED AND APPROVED** this the 14<sup>th</sup> day of July, 2005.



M A Y O R

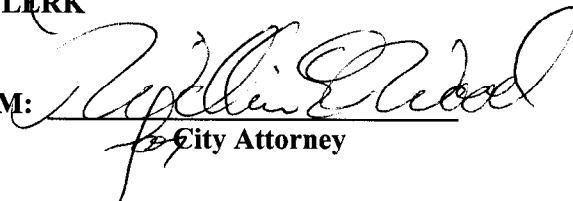
PHIL HARDBERGER

ATTEST



CITY CLERK

APPROVED AS TO FORM:



City Attorney

# Agenda Voting Results

**Name:** 19.

**Date:** 07/14/05

**Time:** 03:30:08 PM

**Vote Type:** Multiple selection

**Description:** An Ordinance authorizing a professional services agreement with Bain Medina Bain, Inc., a SBE/ WBE firm, in the amount of \$795,861.00 for engineering services, \$79,586.10 for Engineering Contingency, \$55,710.00 for Capital Administration Costs, and \$1,500.00 for Environmental Contingency for a total amount of \$932,657.10 in connection with the RIP Rap #69, Phase IID project, a 2005 Storm Water Revenue Bond project located in Council District 3. [Presented by Thomas G. Wendorf, P.E., Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. McNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		